

Serial No.: 10/633,779

REMARKS

Claims 7-25 are pending in the application. Claims 1-6 were canceled in the Amendment filed August 18, 2004. Claims 7 and 15 are independent claims. The Examiner's indication of the Allowability of Claims 7-25 is appreciated.

Obviousness-type Double Patenting

Claims 1-25 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of US Patent 6,611,374.

In order to overcome this rejection, a terminal disclaimer in compliance with 37 CFR 1.321(c) was filed with the Amendment filed on August 18, 2004. Per the Examiner's comments on page 2 of the Office Action mailed 11/02/04, the Terminal Disclaimer inadvertently referred to an incorrect prior patent number. Accordingly, a corrected Terminal Disclaimer is filed herewith. Withdrawal of the double patenting rejection is respectfully requested.

CONCLUSION

Applicant submits that all pending claims are patentable over the cited references and that the application is in condition for allowance.

If a telephone conference would facilitate examination of this application in any way, the examiner is invited to contact applicants' attorney.

FEES

The Terminal Disclaimer fee under 37 CFR 1.20(d) of \$110 was charged to the undersigned attorney's PTO Deposit Account #50-1047 on September 2, 2004 (see enclosed copy of PTO Deposit Account statement). It is believed therefore that no additional fees are due. If any additional fees are due as a result of this Response, the

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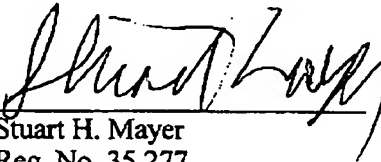
undersigned attorney authorizes the Commissioner to charge such fees to Deposit

Account 50-1047.

The examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

By:



Stuart H. Mayer
Reg. No. 35,277

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office at (703) 872-9327 on 11/16/04.

Marjorie Scariati

(Printed Name of Person Faxing Correspondence)


(Signature)

Deposit Account Statement

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Deposit Account Statement

Requested Statement Month: September 2004
Deposit Account Number: 501047
Name: MAYER FORTKORT & WILLIAMS, PC
Attention:
Address: 251 NORTH AVENUE WEST, 2ND FLOOR
City: WESTFIELD
State: NJ
Zip: 07090

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/01	1	10498857	006018 USA/ETCH/DRIE/JB1	1609	-\$730.00	\$19,780.00
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